

## **TENNESSEE BOARD OF DISPENSING OPTICIANS**

**DATE:** June 8, 2005

**TIME:** 9:30 A.M.

**LOCATION:** Cumberland Room  
Ground Floor, Cordell Hull Building  
425 5<sup>th</sup> Ave. North  
Nashville, TN 37247

### **BOARD MEMBERS**

**PRESENT:** Kelly Godsey, DPO, Chair  
Felda Stacey, DPO, Secretary  
Happy Moyer, DPO  
Peggy Hannah, DPO  
Edward Risby, Consumer Member  
Stacey Chitwood, DPO

**STAFF PRESENT:** Joan Burk, Board Administrator  
Nicole Armstrong, Advisory Attorney  
Rick Agee, Unit Director  
Barbara Maxwell, Administrative Director  
Stacy Lannan, Administrative Assistant/Lic. Tech.  
Jerry Kosten, Rules Coordinator

Mr. Godsey, Board Chair, called the meeting to order at 9:45 A.M. All board members were present.

Mr. Godsey welcomed new board member Ms. Stacey Chitwood.

### **Selection of Secretary**

Ms. Moyer made a motion, seconded by Ms. Hannah, to nominate Felda Stacey as secretary of the Board of Dispensing Opticians to fill the term of Kathy Hawkins who is no longer on the Board. The motion carried.

### **Review Minutes**

Mr. Risby stated that he was present at the last meeting and asked Administration to make that correction to the minutes. Ms. Moyer made a motion, seconded by Ms. Hannah, to approve the minutes when corrected. The motion carried.

### **Conflict of Interest**

Ms. Armstrong reviewed the Conflict of Interest policy with the board asking the board members to disclose any conflict of interest they may have prior to contested cases or any other legal proceedings or matters to determine if there is a conflict of interest. Ms. Armstrong stated that if a board member does have a conflict of interest they must recuse him/herself and leave the hearing room during the discussion and vote. Ms. Armstrong asked the board members to sign the conflict of interest statement and return it to Ms. Burk.

### **Office of General Counsel Report**

Ms. Armstrong reviewed the Office of General Counsel Report stating Rule 0480-1-.05, .06, .08, .09, .11, .12, .14, .22 regarding the creation of a new practical exam, CE documentation and apprenticeship notification provisions is being reviewed by the Attorney General.

Ms. Armstrong stated that the Office of General Counsel currently has six (6) open files pertaining to the Board of Dispensing Opticians.

### **Investigative Report**

Ms. Armstrong reviewed the investigative report stating there are five (5) cases closed in investigations, one (1) with a letter of warning and four (4) referred to OGC.

### **Disciplinary Report**

Ms. Armstrong reviewed the disciplinary report stating there are two practitioners currently being monitored, one of which must serve one year probation upon reinstatement.

### **Financial Report**

Mr. Agee reviewed the financial report stating there is a cumulative carryover from June 30, 2004 of \$158,180.39. Mr. Agee said an updated report will be available at the next board meeting.

### **Administrative Report**

Ms. Burk reviewed the administrative report stating from March 15, 2005 and May 15, 2005 there are three (3) active licensees, one (1) retired, eight (8) failed to renew and sixteen (16) active apprentice files. Ms. Burk stated between March 15, 2005 and May 18, 2005, 66 licensees have renewed their license. Of that total, 7 renewed online. Ms. Burk asked the board to encourage all licensees to use the internet to renew licenses. Ms. Burk also reminded the board that all travel requests must be submitted 120 days prior to the event for possible approval. Ms. Burk stated that all files have been imaged and the only outstanding project is the RFP for the practical examinations. The move to Metro Center has been tentatively scheduled for September, 2005; the Board will be notified when the final move date has been designated.

### **Jerry Kosten, Rules Coordinator**

Upon discussion of a rule making hearing on continuing education wording regarding volunteer work, the board decided unanimously to not accept volunteer work for continuing education. The rule will remain the same. R.A.M. will no longer be accepted as a source for continuing education.

Mr. Kosten discussed a rule making hearing to delete language which is no longer applicable in Rule 0480-1-.14 pertaining to experience in an apprenticeship program obtained prior to January 1, 1996. Mr. Kosten indicated that he would have amendments to be presented and reviewed at the next Board meeting.

Mr. Kosten discussed a bill in legislation that allows health related boards to use a screening panel. The screening panel is nominated by the board members and has the same authority as the board. The panel would hear complaints from those persons who have agreed to have their complaints heard before the panel rather than going through OGC and the panel would make a decision on those complaints. If the complainant did not agree with the panel's decision, then the case would be sent to Investigations for their involvement.

### **Update RFP**

Mr. Godsey congratulated Dr. Roy Ferguson on being awarded the contract for the practical exam.

### **Review of amended Reinstatement form**

Ms. Armstrong discussed the reinstatement application and presented a draft of a reinstatement application she tailored to fit this board. Ms. Armstrong said she expanded section two and inserted section three where the employer must sign. Mr. Godsey and Ms. Moyer said it was an excellent idea and the Board agreed to implement this form as quickly as possible. The form will need to be sent to the Forms area to be reviewed.

### **New Licensees**

Upon review, Ms. Moyer made a motion, seconded by Ms. Hannah, to ratify the following newly licensed dispensing opticians:

**Dan Adams**

**Richard William Ahlbrandt**

**Tonya Renee Boyd**

**Shannon Childress**

**Angela Renee Collett**

**Tammy Eason**

**John David Jordan**

**Jennifer Fishpaw McPherson**

**Amanda Moore**  
**Arvena Jane Moore**  
**Janet Elizabeth Perry-Martinez**  
**Laurie A. Pruitt**  
**Connie Rooks**  
**Ellen Wade Brown**  
**Cathy Dean Williams**  
**Rebekah Winningham**

The motion carried.

Upon review, Ms. Moyer made a motion, seconded by Ms. Hannah, to approve the following reinstatements:

**Rebecca L. Anderson**  
**Pamela Jones Basler**

The motion carried.

#### **Continuing Education Approval**

Ms. Moyer made a motion, seconded by Ms. Chitwood, to deny the course titled **AlliedEye Associates, July 12, 2005, Chattanooga, TN**, since it was not received 30 days before the Board held its Board Meeting, June 8, 2005. The motion carried.

Ms. Stacey made a motion, seconded by Ms. Hannah, to deny the personal request of John B. Parker to be allowed to use the courses offered at the American Optometric convention in Dallas TX on June 22-26 for continuing education since the request was not received 30 days before the Board met June 8, 2005. The motion carried.

Mr. Godsey made a motion, seconded by Ms. Hannah, to approve the following continuing education courses:

**Tennessee Dispensing Opticians Association**, 2005 Knoxville Chapter, September 11, 2005; Johnson City Chapter, October 16, 2005; and Nashville Chapter, November 13, 2005. The motion carried.

Ms. Hannah made a motion, seconded by Ms. Moyer, to deny the following Internet CE courses from the **Quantum Learning Group, “Sales Techniques & Merchandising Strategies”, and “Basic Refraction Procedures”**, at this time since the material was not received 30 days prior to the Board Meeting. These courses will be presented for review at the next Board meeting to be held October 5, 2005.

Ms. Hannah made a motion, seconded by Ms. Moyer, to approve all courses to be offered at the Southeastern Opticians Conference to be held in Atlanta GA on August 19, 20, 21, 2005 for

continuing education **with the exception of A Manager's Guide to Florida Opticianry Laws & Rules.**

Ms. Moyer made a motion, seconded by Ms. Hannah, to approve the following continuing education courses upon review and approval by the consultant:

**C.E.D.O. Inc.**

July 31, 2005, Holiday Inn Select, Knoxville TN and October 16, 2005, Embassy Suites, Nashville, TN (**all courses ABO/NCLE approved per J.D. Wood, Jr., Director of education**)

**Courses**

**July 31, 2005- Knoxville, TN**

The one minute Optician PT I, speaker Anthony Record, LDO, 2 hr. Spectacle course  
The one minute Optician, PT II, speaker Anthony Record, LDO, 2 hr. Spectacle course  
Ocular Anatomy, speaker Earl Dowding, OD or Steven Leighton, OD, 2 hr. Contact Lens course  
CL Pre-Fit and Post-Fit, speaker Earl Dowding, OD or Steven Leighton, 2 hr. Contact Lens course

**October 16, 2005- Embassy Suites, Nashville TN**

The one minute Optician PT I, speaker Anthony Record, LDO, 2 hr. Spectacle course  
The one minute Optician, PT II, speaker Anthony Record, LDO, 2 hr. Spectacle course  
Ocular Anatomy, speaker Earl Dowding, OD or Steven Leighton, OD, 2 hr. Contact Lens course  
CL Pre-Fit and Post-Fit, speaker Earl Dowding, OD or Steven Leighton, 2 hr. Contact Lens course

The motion carried.

**Correspondence**

The board reviewed a letter from **Ms. Jody Warner**, National Academy of Opticianry's Ophthalmic Career Progression Program Director pertaining to a program which they state is an alternative to classroom instruction in order to meet academic prerequisites to licensure. Ms. Armstrong stated that the information supplied does not meet the qualifications for licensure. A letter will be written to Ms. Warner stating the Rules and Regulations for licensure and that we cannot consider this as an alternative.

The board reviewed a letter from **Ms. Happy Moyer** requesting to attend the Southeastern Opticians Conference scheduled for August 19-21, 2005 in Atlanta, GA.

Upon discussion, the board decided it was not beneficial to the board if Ms. Moyer attended the conference therefore her request to be reimbursed for attending this conference is denied.

Ms. Moyer made a motion, seconded by Ms. Hannah, to close the following files:

Files to be canceled because these applicants were licensed under other file numbers.

1. **Mary Beth Arama (1406)**
2. **Terry S. Batiste (1600)**
3. **Richard J. Forsythe (1634)**
4. **Richard Jay Forsythe (1635)**
5. **Lisa A. Jefferies (1401)**
6. **Sharyl Ann Leeney (1613)**
7. **Lori L. Moore (1413)**
8. **Sandra K. Northrup (1611)**
9. **Delisa S. Roose (1607)**
10. **Amy J. Streeter (1621)**
11. **Trilby Lyn West (1622)**
12. **Mary Katherine Williams (1404)**

These applicants are no longer pursuing licensure.

1. **Johnny J. Shoemake (1425)**
2. **Juliana M. Neal (1427)**
3. **Martha D. Eubanks (1430)**
4. **Amy R. Bowman (1434)**
5. **Stephanie M. Shipley (1480)**
6. **Suzanne C. McDonald-Lane (1481)**
7. **Kimberlie Short (1500)**
8. **Deena L. Bleadingheiser (1501)**
9. **Ngo, Diep L. (1505)**
10. **Athena G. Proctor (1508)**
11. **Brenda B. Runyon (1510)**
12. **Tracy E. Pursley (1517)**
13. **John H. Johnson (1523)**
14. **Wilma Jean Felty (1548)**
15. **Allise McAlpine (1549)**
16. **Stefanie Ann Crye (1553)**
17. **Angela M. Snodgrass (1555)**
18. **Tonya L. Necessary (1560)**
19. **Lesia Ann Kirby (1572)**
20. **Elaine Medeiros Moore (1581)**
21. **Angie Maria Minton (1587)**
22. **Melinda Layne McGinnas (1588)**
23. **Patricia Jane Barwick (1590)**
24. **Michael Levonne Exum (1592)**
25. **Robert C. Brewer (1603)**
26. **Mary Angel Baker (1604)**
27. **Derrick S. Henry (1606)**
28. **John P. McAfee (1608)**
29. **Ronald A.W. Kennedy (1618)**
30. **Melanie Siebert Timbs (1620)**

- 31. Yakela Natasha Doyle (1623)**
- 32. Robin Brittain Miller (1632)**
- 33. Tasha D. Johnson (1642)**
- 34. Jennifer Beth Garmon (1644)**
- 35. Debra Ann Walton Watson (1645)**
- 36. Dana W. Marcom (1647)**
- 37. Tabitha Virginia Brooks (1648)**
- 38. Rosemary Quinones (1649)**
- 39. Abbigail Elaine Stanley (1667)**
- 40. Heather Candace Foster (1669)**
- 41. Matthew Aaron Daniel (1671)**
- 42. Derreck Craig Worley (1672)**
- 43. Hollie Elizabeth Goodwin (1674)**
- 44. Gretchen Anese Chapman (1675)**
- 45. Tamara Barham (1676)**
- 46. Janey Kay James (1678)**
- 47. Tracy Lynn Couch (1695)**
- 48. Stacey Leigh Morris (1700)**
- 49. Latisha Candace Craven (1713)**

The motion carried.

With no other board business to conduct, Ms. Moyer made a motion, seconded by Ms. Hannah, to adjourn the meeting at 10:55 A.M. The motion carried.

JB/G4035291